

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
16548.16.1a.3

In re Application of: Devin Leake, et al.

Application No.: 10/551,350

Filed: October 19, 2006

For: MODIFIED POLYNUCLEOTIDES FOR USE IN RNA INTERFERENCE

The owner*, Dharmacon, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 11/619,993, filed on January 4, 2007 and pending **reference** Application Number 11/825,461 filed on July 6, 2007 as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending **reference** applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the **reference** applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 53,983

/Jonathan M. Bennis, Reg.# 53983/
Signature

January 8, 2009
Date

Jonathan M. Bennis
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